

1 THE HONORABLE BENJAMIN H. SETTLE  
2  
3  
4  
5  
6

7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 TODD BRINKMEYER

11 Petitioner,

12 v.

13 WASHINGTON STATE LIQUOR AND  
14 CANNABIS BOARD,

15 Respondent.

16 Case No. 3:20-cv-05661-BHS

17 **DECLARATION OF ANDY MURPHY IN  
18 SUPPORT OF PETITIONER'S  
19 SUPPLEMENTAL BRIEF**

20 I, Andy Murphy, hereby declare and state as follows:

21 1. I am one of the attorneys representing the petitioner in this action. I am over the  
22 age of eighteen, have personal knowledge of the matters contained in this Declaration, and am  
23 competent to testify thereto.

24 2. Attached hereto as **Exhibit A** is a true and correct copy of the brief submitted  
25 by Kirsten Figueroa, in her official capacity as Commissioner of Maine Department of  
26 Administrative and Financial Services and the Maine Department of Administrative and  
Financial Services, in the matter *Northeast Patients Group v. United Cannabis Patients and  
Caregivers of Maine*, 45 F.4th 542 (1st Cir. 2022), which my office downloaded from PACER.

3. Attached hereto as **Exhibit B** is a true and correct copy of the list of Medical  
Cannabis Medically Endorsed Approved Stores as produced and maintained by the Washington

1 State Department of Health which is available at: <https://doh.wa.gov/you-and-your-family/marijuana/medical-marijuana/medically-endorsed-approved-stores>. The attached copy  
2 was printed on October 21, 2022. Page 16 shows the four Zips Cannabis-Tacoma stores owned  
3 in part by Scott Atkison.

4. Attached hereto as **Exhibit C** is a true and correct copy of the corrected brief  
5 submitted by United Cannabis Patients and Caregivers of Maine, in the matter *Northeast  
6 Patients Group v. United Cannabis Patients and Caregivers of Maine*, 45 F.4th 542 (1st Cir.  
7 2022), which my office downloaded from PACER.

8  
9  
10 Pursuant to 18 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is  
11 true and correct to the best of my knowledge.

12 EXECUTED in Burien, WA on this 21st day of October, 2022.

13 s/ Andy Murphy  
14 Andy Murphy

1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that on October 21, 2022, I electronically filed the foregoing with the  
3 Clerk of the Court using the CM/ECF system which will send notification of such filing to all  
4 counsel of record.

5                   DATED this 21<sup>st</sup> day of October, 2022.

6  
7                   *s/ Andy Murphy* \_\_\_\_\_  
Andy Murphy

8                   4877-1504-3898.1  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26